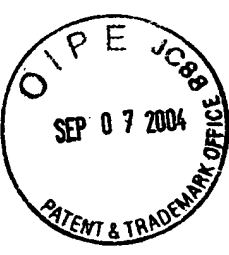


3728



Docket No. COD0133

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Christopher McDowell
Serial No. : 09/960,020 Art Unit : 3728
Filed : September 21, 2001 Examiner : J. G. Pickett
Title : Tray for Surgical Fasteners

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231 on

September 3, 2004
(Date of Deposit)

Eugene L. Szczecina, Jr.
(Name of applicant, assignee, or Registered Representative)

Eugene L. Szczecina, Jr.
(Signature)

September 3, 2004
(Date of Signature)

Honorable Commissioner of Patents
Washington, D.C. 20231

REQUEST FOR RECONSIDERATION

Dear Sir:

In response to the Office Action of June 4, 2004, please consider the following remarks.

REMARKS/ARGUMENTS

This amendment is in response to the Office Action mailed on June 4, 2004. No Claims have been amended or canceled. Claims 1, 3, 6, 8, 9, 11, 12 and 16 are pending. Reconsideration of the above-identified application in view of the following remarks is respectfully requested.

Claims 1, 3, 6, 8, 9, 11, 12 and 16 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent No. 5,968,0444 to Nicholson et al. (hereinafter referred to as Nicholson) in view of U.S. Patent No. 6,098,802 to Asa et al (hereinafter referred to as Asa)